



Attorney Docket No. D/KP004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s): Kenneth E Persson  
Application No.: 10/727,463  
Filed: 12/04/2003  
Examiner:  
Art Unit: 3676  
Title: **SIDE ACTING EXTRACTOR TOOL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

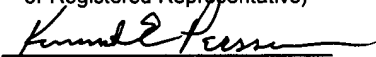
Sir:

**CERTIFICATE OF  
TRANSMISSION**

I hereby certify that this  
correspondence is being  
deposited with the US Post  
office, for delivery to the U.S.  
Patent and Trademark  
Office, on

Nov. 15, 2004  
(Date of deposit)

**Kenneth E Persson**  
(Name of applicant, assignee,  
or Registered Representative)

  
(Signature)

**Nov. 15, 2004**  
Date of Signature

**PETITION TO REPLACE OMITTED ITEMS**

In response to the Notice of Omitted Items, namely FIGS. 9C, 10C and 13B, mailed September 17, 2004, please replace drawing sheets 3, 4 and 6 of the 17 drawings sheets containing FIGS. 9C, 10C and 13B respectively as initially filed, with the attached drawing sheets 3, 4 and 6. A petition fee of \$130 (one hundred and thirty dollars) is enclosed.

However, in light of the following remarks, Applicant respectfully requests refund of this petition fee because, based on the proof and arguments below, Applicant strongly believes the USPTO received (as initially mailed) 17 sheets of drawings with 26 Figures including the allegedly omitted FIGS. 9C, 10C and 13B.

**REMARKS**

The communication of 9/17/2004 regarding the alleged omission of FIGS. 9C, 10C and 13B, has been carefully reviewed and understood. Applicant is attaching replacement drawing sheets 3, 4 and 6 that contain these alleged missing Figures, as initially filed.

However, Applicant respectfully would like to point out that:

(a) the returned post card (copy attached) that was mailed by Applicant with the Application as initially filed correctly shows 17 sheets of drawings with 26 Figures. Each sheet of drawing as initially filed was properly labeled 1/17 – 17/17;

(b) FIGS. 9C, 10C and 13B are correctly described in the specification, particularly under the “Brief Description of the Drawing” section; and

(c) FIG. 9C was/is on sheet 3/17 along with FIGS. 8, 9A and 9B;

(c) FIG. 10C was/is on sheet 4/17 along with FIGS. 10A, 10B and 11; and

(c) FIG. 13B was/is on sheet 4/17 along with FIG. 14.

Accordingly, it is clear that any sheet of the 17 sheets as labeled (i/17-17/17) made it clear that there were 17 sheets, and that FIGS. 8, 9A, 9B; 10A, 10B, 11 and 14 as described in the specification cannot be in the record in the absence of FIGS. 9C, 10C and 13. Thus Applicant strongly believes the USPTO received (as initially mailed) 17 sheets of drawings with 26 Figures including the allegedly omitted FIGS. 9C, 10C and 13B.

As such, Applicant respectfully requests acceptance of the attached replacement drawing sheets 3, 4 and 6, as well as refund of the petition fee.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Kenneth E Persson, at Telephone Number 585-385-3896, East Rochester, New York 14445

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kenneth E Persson", written over a horizontal line.

Applicant Kenneth E Persson  
(585) 385-3896

November 15, 2004

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PAPERS

PATENTS

KP-004

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| 3. <input checked="" type="checkbox"/> | DECLARATION (2 sheets)   | <input type="checkbox"/> |
| 4. <input checked="" type="checkbox"/> | SPECIFICATION (28 pages) | <input type="checkbox"/> |
| 5. <input checked="" type="checkbox"/> | DRAWINGS (17 pages)      | <input type="checkbox"/> |
| 6. <input checked="" type="checkbox"/> | Information Disclosure   | <input type="checkbox"/> |
| 7. <input checked="" type="checkbox"/> | PRIOR ART                | <input type="checkbox"/> |

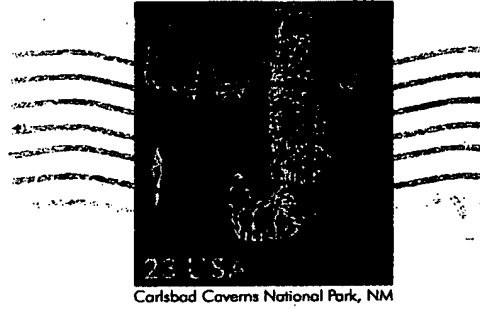
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10/727463

Signature \_\_\_\_\_



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